

REMARKS

Pending claims

Claim 20 has been cancelled. Claims 1, 3, 6, 18, 21, 24, 27-28, and 30-32 have been amended to more clearly point out and distinctly claim the invention. These amendments do not contain new matter and are fully supported by the specification. After these amendments are entered, thirty three (33) Claims (claims 1-19 and 21-34) are pending.

Information Disclosure Statement

Applicants submit herewith a Supplemental IDS including the hard copies of Patent DE 10007705, Patent DE4224922 and WO 01/32074 and the Abstracts in English of Patent DE 10007705 and Patent DE4224922.

Oath/Declaration

Applicants submit herewith a substituted declaration and power of attorney in compliance with 37 CFR 1.67(a). The newly submitted declaration identifies this application by application number and filing date.

Claim rejections under 35 USC §103

Claims 1-17, 23, 27 and 30-34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gao et al in view of Streibig. For the following reasons, the Examiner's rejection over claims 4-10 and 15-17 is respectfully traversed.

Regarding claims 1-2, neither the primary reference (Gao et al) nor the secondary reference (Streibig) discloses or suggest anything about the step of coloring superposition areas of said selected pattern with the selected colors to generate an image of a contact lens and about the step of adjusting said pattern and/or colors to generate an optimized image of a modified contact lens in accordance with the intentions of said user. Applicants respectfully submit that the present invention as currently claimed is patentable over the primary reference, alone or in combination with the secondary references. Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection.

Regarding claims 3-5, neither the primary reference (Gao et al) nor the secondary reference (Streibig) discloses or suggest anything about the step of adjusting said image and said template into a modified image and a modified template to optimize cosmetic effects of a contact lens in accordance with the intentions of said user. Applicants respectfully submit that the present invention as currently claimed is patentable over the primary reference, alone or in combination with the

secondary references. Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection.

The rejections of base claim 6 and its dependent claims 7-17 and 23 have been obviated by incorporating into base claim 6 the limitations of claim 20, which was objected to as being dependent upon a rejectable base claim and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The rejections of claim 27 has been obviated by the amendment of claim 27.

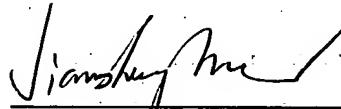
Regarding claim 30-34, neither the primary reference (Gao et al) nor the secondary reference (Streibig) discloses or suggest anything about the step of allowing the user to modify the template eye in accordance with the intentions of the user to achieve a desired appearance of the eye and about the step of deriving from the modified template eye a contact lens pattern that, when worn, modifies imparts the desired appearance to an eye of the user. Applicants respectfully submit that the present invention as currently claimed is patentable over the primary reference, alone or in combination with the secondary references. Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection.

Claim objections

The objections of claims 18-22, 24-26 and 28-29 have been obviated by the amendments of these claims.

Should the Examiner believe that a discussion with Applicants' representative would further the prosecution of this application, the Examiner is respectfully invited to contact the undersigned. Please address all correspondence to Thomas Hoxie, Novartis Corporation, Corporate Intellectual Property, One Health Plaza, Bldg. 430, East Hanover, NJ 07936-1080. The Commissioner is hereby authorized to charge any other fees which may be required under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment, to Deposit Account No. 19-0134.

Respectfully submitted,



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Date:

10/23/2003

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